REMARKS

In the above-mentioned Office Action, all of the pending claims, claims 1-20, were rejected. Claims 1-6 and 12-15 were rejected under 35 USC 103(a) over *Matsumoto*. Claims 7-11 and 17 were rejected under Section 103(a) over the combination of *Matsumoto* and *Obhan*. And, claims 16 and 18-20 were rejected under Section 102(e) over *Matsumoto*.

Responsive to the rejection of the claims, independent claims 1, 12, and 16 have been amended as noted herein, in manners believed to distinguish better the invention of the present application over the cited references, taken alone or in combination. Amendments made to various ones of the dependent claims are made responsive to amendments made to their respective parent claims.

Support for the amendments to the claims can be found, for instance, on page 3, lines 16-20 and page 10, lines 15-17.

With respect to claim 1, the mobile terminal is defined further to be selectably operable by a user to effectuate telephonic communication. And, the executable block of code is recited to form a recreational application, executable by a user at the mobile terminal pursuant to user interaction. Further, the indicia of performance success is recited now to be of the success of the execution by the user of the recreational application pursuant to the user interaction with the mobile terminal. Method claim 12 has been analogously amended.

Review of *Matsumoto* indicates that merely a conventional information retrieval scheme is set forth.

Column 31, line 60, through column 32, line 67, line 14 of column 33, and Figure 4, relied upon by the Examiner, fails to disclose the structure, recited as now-amended, or the corresponding method recited in claim 12. The sections of *Matsumoto*, relied upon by the Examiner, appear merely to disclose a data server at which sport information data is stored. And, responsive to a request therefor, retrieval and return to a portable telephone of the stored data is effectuated.

That is to say, *Matsumoto* fails to disclose a mobile terminal having a recreational application executable thereat and a formatter for formatting a signal responsive to detection of whether an indicia of performance success of the execution by a user of the recreational application is beyond a selected threshold.

Obhan also fails to disclose such structure, or corresponding message. Column 16, lines 50-55 of *Obhan* were cited by the Examiner for disclosing a short messaging system and special operation, such as gains. However, such section of *Obhan* appears to pertain to altering a watermark profile at a base transceiver station to take into account high service-periods such as baseball games, football games, etc. *Obhan*, therefore, also fails to disclose the structure, and corresponding method, now recited in claims 1 and 12.

Accordingly, no combination of *Matsumoto* and *Obhan* can be created to form the invention recited in claims 1 and 12, as now amended.

With respect to claim 16, the claim has been amended, now to recite that the result-indication signal receiver receives indications of a result-indication signal. The result-indication signal is recited to be generated responsive to success of execution at a mobile terminal of a recreational application. And, the success is recited to be gauged by an indicia of performance success associated with the execution of the recreational application beyond a selected threshold.

Matsumoto also fails to disclose such a structure.

The data server 301' disclosed in *Matsumoto*, as noted in Column 32, lines 35-47, operates responsive to reception of a sport genre code and an item code. And, the terminal side, responsive thereto, receives sport information data contained at the data server 301'.

Matsumoto, therefore, fails to disclose a result-indication signal receiver operable in manners recited in claims 16, as now-amended. And, the data base of the data server 301' also fails to disclose an award data base, as recited, or a reward signal generator, also as recited.

As the dependent claims include all the limitations of their respective parent claims, these claims are believed to be patentably distinguishable over the cited references taken alone or in combination, for the same reasons as those given with respect to their parent claim.

With respect to the objection to the title, a substitute title is proposed, as noted herein. If objection is made to the proposed, substitute title, the Examiner is invited to propose an alternate, substitute title.

In light of the foregoing, independent claims 1, 12, and 16, and the remaining ones of the dependent claims dependent thereon, are believed to be in condition for allowance. Accordingly,

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reexamination and reconsideration for allowance of these claims is respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

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APPENDIX A

Amended claims, marked to show changes:

1. (Amended) Apparatus for a mobile terminal selectably also operable by a user in a radio communication system to effectuate telephonic communication [communicate] with a communication station by way of a communication path that [which] includes a radio part, said apparatus comprising:

at least one executable block of code forming a recreational application, executable by the user at the mobile terminal pursuant to user interaction therewith, execution of the recreational application forming said executable block of code generating at least an indicia of performance success of the execution by the user of the recreational application forming said executable block of code;

a detector coupled to receive indications of the indicia of performance success generated during execution of the recreational application forming said executable block of code, said detector at least for detecting whether the indicia of performance is beyond a selected threshold and for selectively generating a result indication indicative thereof and

a formatter coupled to receive the result indication generated by said detector, said formatter for formatting the result indication into a signal transmittable upon the communication path.

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2. (Amended) The apparatus of claim 1 further comprising a user interface having a user actuator actuable by the user, selected actuation of the user actuator for initiating execution of the recreational application forming said executable block of code and for permitting the user interaction responsive to which the performance success is.

3. (Amended) The apparatus of claim 2 wherein said at least one executable block of code comprises a first recreational application formed of a first executable block of code and at least a second recreational application formed of at least a second executable block of code and wherein the selected actuation of the user interface by the user is further for selecting which of the first and at least second recreational application is formed of the first and at least second executable blocks of code, respectively, of which execution is initiated.

4. (Amended) The apparatus of claim 2 wherein further selected actuation of user actuator is permitted during execution of said executable block forming the recreational application and wherein the performance success of the execution of said block of code is determined, at least in part, responsive to selected user actuation of the user actuator.

6. (Amended) The apparatus of claim 1[5] wherein a game score is tallied during execution [playing] of the recreational application, the game score forming the indicia of performance success.

9. (Amended) The apparatus of claim 8 wherein the communication path includes a reverse link and a forward link, wherein the SMS message formed by said formatter is communicated [communication] upon the reverse link and wherein said apparatus further comprises a response-message receiver coupled to receive a response-message communicated [communication] to the mobile terminal, the response-message communicated upon the forward link responsive to the SMS message.

12. (Amended) A method for forming a recreationally-related result indication at a mobile terminal selectably also operable by a user in a radio communication system to [communicate] effectuate telephonic communication with a communication station by way of a communication path [which] that includes a radio part, said method comprising:

executing an executable block of code at the mobile terminal, the executable block of code forming a recreational application, executable by the user, pursuant to user interaction with the mobile terminal;

generating at least an indicia of performance success of execution, during said operation of executing, of the recreational application formed of the executable block of code;

detecting whether the indicia of performance is beyond a selected threshold;

forming a result indication representative of detection made during said operation of detecting; and

formatting the result indication into a signal transmittable upon the communication path.

16. (Amended) Reward-granting apparatus [Apparatus] for an award server operable in a communication system having a radio part, the award server adapted to communicate with a mobile terminal [by way of] in a communication system [to communicate with a mobile terminal] by way of a communication path [which] that extends through the [includes a] radio part, said apparatus comprising:

a result-indication signal receiver coupled to receive indications of a result-indication signal communicated to the award server by the mobile terminal, the result-indication signal generated responsive to success of execution at the mobile terminal of a recreational application, success gauged by an indicia of performance success associated with the execution of the recreational application beyond a selected threshold;

an award database having result data indexed together with a mobile terminal user identity, said award database accessible at least responsive to receipt at said result-indication signal receiver of the result-indication signal; and

a reward signal generator selectably operable responsive to data accessed from said award database, said reward signal generator for generating a reward signal for communication to the mobile terminal, the reward signal representative of a reward responsive at least alternately to one of the result-indication signal and values stored in said award database.